

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

AV
FILED
12/07/2005
CLERK
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

2005 DEC -7 AM 9:59

DAVID A. HAMILTON,

:

Plaintiff,

:

Case No. 3:03CV00273

vs.

:

District Judge Walter Herbert Rice
Magistrate Judge Sharon L. Ovington

LINKED TECHNOLOGIES, INC.,
et al.,

:

Defendants.

**DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS FILED ON
NOVEMBER 15, 2005 (Doc. #21); DISMISSING PLAINTIFF'S COMPLAINT; AND
TERMINATING THE CASE ON THE DOCKET OF THIS COURT**

The Court has conducted a de novo review of the Report and Recommendations (Doc. #21) of United States Magistrate Judge Sharon L. Ovington, to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations. It is therefore **ORDERED** that:

1. The Report and Recommendations filed on November 15, 2005 (Doc. #21) is **ADOPTED** in full;
2. Plaintiff's Complaint is **DISMISSED** as a sanction for his willful discovery misconduct and his willful failure to respond to an Order of this Court; and
3. The case is terminated on the docket of this Court.



Walter Herbert Rice
United States District Judge